

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-8, 10-27 and 29-41 are presently active in this case, Claims 9 and 28 canceled and Claims 1, 10-12, 20-21, 29, 31 and 38 amended by way of the present amendment.

In the outstanding Official Action, Claims 1-5, 7-8, 19-24, 38 and 40 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. publication 2004/0100648 to Kulakowski; Claims 6, 9, 18, 25-28, 37 and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kulakowski in view of Official Notice; Claims 14-17, 33-36 and 41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kulakowski; and Claims 10-13 and 29-32 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

First, Applicants wish to thank Examiner Lin for his indication of allowable subject matter in Claims 10-13 and 29-32. Accordingly, Claims 10, 12, 29 and 31 have been amended to be in independent form including all limitations of their respective base and intervening claims. Therefore, Claims 10-13 and 29-32 are now in condition for allowance.

In addition, Applicants would like to thank Examiner Lin for the March 28, 2005 personal interview at which time the outstanding issues in this case were discussed. During the interview, Applicants presented amendments directed to emphasizing that the claimed ASP performs an archiving function. Examiner Lin did not react unfavorably to this suggestion, but indicated that the archiving feature should be implemented in the claims using language clearly supported by the specification, and that further consideration of the amendment would be given upon formal filing.

Turning now to the rejected claims, Applicants' invention is directed to a system and method for easily storing document information in an application service provider (ASP). As described in the background section of the specification, homeowners and businesses are frequently turning to ASPs for off site storage of important documents.<sup>1</sup> However, ASPs conventionally require a user to interface with complex menus on the ASP site in order to store a document.<sup>2</sup> This can be time consuming and frustrating, particularly to a user unfamiliar with the ASP site. Applicants invention is directed to simplifying the ASP storage process.

Specifically, Claim 1, as amended, recites a method of storing document information in an application service provider (ASP) which is connected to a user terminal through a network. The method includes inputting the document information into the user terminal, and inputting a previously created e-mail address into the user terminal, the e-mail address being confirmed by the ASP and corresponding to a storage location in a document database of the ASP. Also recited is sending the document information to the e-mail address via the network so that the ASP can store the document information at the storage location in the document database.

Thus, in order to expedite issuance of a patent in this case, Applicants have amended Claim 1 to clarify an archive feature of the ASP by reciting a "storage location in a document database of said ASP" and that the document information is sent to the e-mail address via a network so that "the ASP can store the document information at said storage location in the document database." This document database feature is clearly supported in the specification at least at paragraph 24 of the specification, and therefore does not raise an issue of new matter. Applicants' independent claims 20 and 38 have been similarly amended to recite such a document database feature.

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<sup>1</sup> Applicants' specification at paragraph 2.

<sup>2</sup> Applicants' specification at paragraph 3.

In contrast, the cited reference to Kulakowski discloses an interface device that allows a user to transmit or receive faxes via a packet switched computer network. As seen in FIG. 1 of Kulakowski, an interface device 10, 26 is connected between a conventional facsimile machine 12, 24 and a Network Service Provider 18, 32 that is connected to a network 20. When a user sends a fax from the facsimile machine 12, the interface 10 can convert the facsimile protocol to an e-mail protocol that is used by the Network Service Providers 18, 32 to send over the computer network 20. However, Kulikowski does not teach or suggest storing the facsimile document at a storage location in a document database of an ASP.

As discussed in the March 28<sup>th</sup> interview, the storage of the facsimile document in Kulakowski occurs only where the Network Service Providers 18, 32 are implemented as a conventional e-mail server that queues up e-mails for downloading by a recipient. An e-mail server, however, is not a document database as this term is understood by one of ordinary skill in the art. For example, Applicants specification explains that a document database can be capable of performing database functions such as searching, sorting recombining etc.<sup>3</sup> Nothing in Kulakowski suggests that the Network Service Providers 18, 32 are capable of performing database functions. Indeed, Kulakowski does not use the word “database” at all. Thus, Kulakowski does not teach or suggest storing document information at a “storage location in a document database of said ASP” as now recited in independent Claims 1, 20, and 38.

As independent Claims 1, 20 and 38 patentably define over Kulakowski as described above, dependent Claims 2-9, 14-19, 21-28, 33-37 and 39-41 also patentably define Kulakowski. Nevertheless, Applicants submit that at least dependent Claims 14-17, 33-36 and 40-41 provide an additional basis for patentability over Kulakowski. Specifically, each of these claims recites the feature of “sending document information to said e-mail address

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<sup>3</sup> Applicants’ specification at page 6, paragraph 24.

[for storage in an ASP] concurrently” with either sending to or receiving a document at the user.

The outstanding Official Action acknowledges that Kulakowski does not disclose this concurrent storage feature<sup>4</sup>, but apparently takes Official Notice that such feature is well known in stating,

However, it is well known in the art of communication by sending important information via different communication channels concurrently. Alternatively, it is also a nominal practice to notify the fax receiver of the anticipated material via a separate communication channel (e.g., in this case via a telephone).<sup>5</sup>

Thus, the Official Action apparently addressed the concurrent sending feature as merely a redundant sending by parallel communications channels. As noted above, however, the concurrent sending feature allows concurrent storage in an ASP. For example, FIGs. 7-8 describe an exemplary embodiment wherein certain faxes sent from an Internet fax machine 100 to a user contact 200 are concurrently sent over the Internet 400 for storage in ASP 300. As another example, FIGs. 9-10 describe an exemplary embodiment wherein certain faxes received at an Internet fax machine 100 from a user contact 200 are concurrently sent over the Internet 400 for storage in ASP 300. Applicants respectfully submit that concurrent sending for storage in an ASP was not well known in the art at the time of filing the present application. In this regard, Applicants respectfully traverse any Official Notice that the concurrent sending feature is well known, and request that this conclusion be supported by a prior art reference as required by M.P.E.P. § 2144.03.<sup>6</sup>

Finally, Applicants note that the specification and Claims 11 and 21 have been amended to correct minor typographical errors.

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<sup>4</sup> Official Action at paragraph 16, lines 4-6.

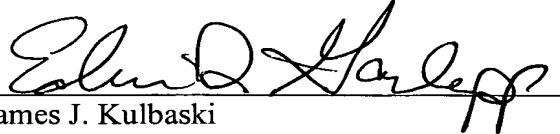
<sup>5</sup> *Id.* At lines 7-10.

<sup>6</sup> See also *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970).

Consequently, in view of the present application, no further issues are believed to be outstanding in the present application, the present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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